

## **ZONING BOARD OF APPEALS**

**April 7, 2010**

A regularly scheduled meeting of the Zoning Board of Appeals of the Town of Trumbull was held in the Town Hall on Wednesday, April 7, 2010.

Members Present: Richard Puskar, Chairman  
Michael Muir, Carl Scarpelli, Joseph Vitrella and  
alternates William Malmstedt, Richard Mayo and Dennis Miko

The following is a brief summary of the meeting. The complete record is on tape in the office of the Zoning Board of Appeals.

A quorum being present, the Chairman called the meeting to order at 7:32 p.m.

In the absence of Commissioner Savino, Dennis Miko was designated as the fifth voting member for tonight's meeting.

### **PUBLIC HEARING**

Application #10-4 – Quatrella & Rizio, LLC, 5520 Park Avenue

Variance of Art. II, Sec. 3.1.7, to permit (existing) non-illuminated 5.5'x8' multiple tenant entrance ground sign .9' from front property line and a proposed 8'x12" single tenant entrance ground sign 6.6' from the front property line (existing sign to be removed). HEARING CONTINUED FROM MARCH 3, 2010.

Attorney Raymond Rizio presented the application on behalf of the property owner, RDR 5520, LLC.

The presentation began with the submission of the following: A color coded site plan; Certificate of Mailings to abutting property owners; site rendering; visual depiction of the property and illustrations of the proposed signage.

The building was originally built as a single tenant structure and then later converted to a multi-tenant medical building. Through a recent approval by Planning and Zoning the tenant roster will now include the Norma F. Pfriem Cancer Radiation Therapy Center.

Attorney Rizio stressed that the proposed signage would have no negative affect to any other property. A single tenant ground sign identifying Tudor Time Child Care is required, as it is a different type of facility located within the medical building. The

multi-tenant sign would list individually each physician with offices in the building along with the cancer center located in the rear of the property.

Several Commissioners questioned the need to waive the regulations to allow for a tenant sign in the entrance area. Mr. Rizio indicated that locating the tenant roster on the building would not be feasible, as the building is located far off the road and surrounded by extensive landscaping.

#### Notice of Settlement Agreement

Brian Anderson v. Richard Eigen, Zoning Enforcement Officer of the Town of Trumbull, Docket No. CV-07-4019936-S.

The Town Attorney, Mario Coppola, presented and reviewed the proposed Motion for Judgment by Stipulation for the Board's consideration.

MOTION MADE (Muir), seconded (Scarpelli) and unanimously carried (Puskar, Miko, Muir, Scarpelli, Vitrella) to approve the proposed Motion for Judgment by Stipulation, as presented.

#### Application #10-10 – William O'Connell, 261 Edison Road

Variance of Art. III, Sec. 1 with respect to insufficient minimum yard requirements to install an above-ground swimming pool 15' from the E/S property line.

The applicant, William O'Connell, came forward. Due to the small lot area a waiver is required to allow for the pool's installation. A letter of support from Julie Johnson, 269 Edison Rd, the neighbor most directly affected, was submitted.

Upon inquiry, Mr. O'Connell relayed that the row of trees depicted on the east side property line have been removed. The applicant indicated that he would be agreeable to replacing the screening at a modest cost.

#### Application #10-11 – Gary and Allison Angon, 6 Ridgebury Drive

Variance of Article III, Sec. 1, with respect to insufficient minimum yard requirements to construct a 24x26.3 sq. ft. addition 27.6' from the rear property line along with a deck 27' from the rear property line and 40.9' from the front property line at its closest point.

Amelia Ferri, the project architect, presented the application on behalf of the applicant.

The existing deck would be removed, to allow for the construction of the addition, and replaced with the new deck depicted on the submitted plan. Ms. Ferri noted that all construction would be in keeping with the existing style of the house.

Application #10-12 – Michael and Victoria Tata, 10 Harned Place

Variance of Art. III, Sec. 1, with respect to insufficient minimum yard requirements to construct a 22x18 sq. ft. addition 22' from the rear property line at its closest point.

The applicant, Michael Tata, presented his application. The submitted plans showed a single story addition, which would require a rear set back variance. Upon inquiry, Mr. Tata indicated that the proposed addition would conform to the existing roof line.

Application #10-13 – Roger J. Dobi, 39 Beech Street

Variance of Art. III, Sec. 1, with respect to insufficient minimum yard requirements, on a corner lot, to construct a 26'x24' attached two-car garage 14.9' from the rear property line (existing garage to be removed) and a 24x27.7 sq. ft. addition 27' from the front property line (Soundview Avenue).

The applicant, Roger Dobi, made the presentation. The submitted plans showed the proposed construction conforming more to the set back requirements than the existing garage. Mr. Dobi submitted a visual layout of his home along with a letter of support from Mr. and Mrs. Wuchek, 40 Beech Street. Photographs of nearby homes having non-conforming structures were also presented.

Public Comment

Randell Caiola, 31 Beech Street, an abutting property owner, spoke in support of the proposed project.

Application #10-14 – Robert J. Lamson, 216 Broadway

Variance of Art. III, Sec. 1, with respect to insufficient minimum yard requirements to construct a 24'x24' two-car garage 30.8' from the front property line and 12.25' from the W/S property line.

Mr. Lamson came forward. Photographs depicting the layout of his property were submitted. Upon inquiry, Mr. Lamson confirmed that the existing driveway would not be altered.

This concluded the public hearing.

The Commission then considered and took action on tonight's applications, as follows.

Application #10-4, Quatrella & Rizio, LLC, 5520 Park Avenue

MOTION MADE (Vitrella), seconded (Scarpelli) and unanimously carried (Puskar, Miko, Muir, Scarpelli, Vitrella), to approve Application #10-4, as submitted.

Application #10-10, William O'Connell, 261 Edison Road

MOTION MADE (Vitrella) and seconded (Scarpelli) to approve Application #10-10.

MOTION MADE (Muir) and seconded (Vitrella) to amend the original motion to include the following specific condition.

1. A modest amount of landscape screening on the E/S property line shall be provided, as per the recommendation of the Town Tree Warden.

Vote: Original Motion as Amended – Unanimous (Puskar, Miko, Muir, Scarpelli, Vitrella) – MOTION CARRIES.

Application #10-11 – Gary and Allison Angon, 6 Ridgebury Drive

MOTION MADE (Scarpelli), seconded (Muir) and unanimously carried (Puskar, Miko, Muir, Scarpelli, Vitrella), to approve Application #10-11, as submitted.

The Town Engineer has indicated that the proposed project may be in a regulated wetland area. If verified as such, a permit from the Inland Wetlands and Watercourses Commission will be required prior to the issuance of a building permit.

Application #10-12 – Michael and Victoria Tata, 10 Harned Place

MOTION MADE (Scarpelli), seconded (Vitrella) and unanimously carried (Puskar, Miko, Muir, Scarpelli, Vitrella), to approve Application #10-12, as submitted.

Application #10-13 – Roger J. Dobi, 39 Beech Street

MOTION MADE (Vitrella), seconded (Scarpelli) and unanimously carried (Puskar, Miko, Muir, Scarpelli, Vitrella), to approve Application #10-13, as submitted subject to the Town Stormwater Management Policy.

Application #10-14 – Robert J. Lamson, 216 Broadway

MOTION MADE (Vitrella), seconded (Scarpelli) and unanimously carried (Puskar, Miko, Muir, Scarpelli, Vitrella), to approve Application #10-14, as submitted.

There being no further business to discuss, a motion was made by Commissioner Scarpelli and seconded by Commissioner Vitrella to adjourn. The April 7, 2010 meeting of the Zoning Board of Appeals adjourned at 9:00 p.m. with unanimous consent.

Respectfully submitted,

Helen Granskog  
Clerk of the Zoning Board of Appeals